REMARKS

This Response, submitted in reply to the Office Action dated June 13, 2007, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-7 are all the claims pending in the application. Claims 2-6 have been deemed to contain allowable subject matter. Claims 1 and 7 have been rejected.

I. Rejection of claims 1 and 7 under 35 U.S.C. § 102(b)

Claims 1 and 7 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Lebizay et al (USP 6,144,658; hereinafter "Lebizay").

Claim 1 recites:

> A secure method of deciding on the 0 or 1 state of each bit of a pattern repeated by a static communication channel in a data decompression device, the data decompression device adapted to decompress a block of data including a group of data from a set of data frames compressed by a data compression device, said group including all active channels of the set, where the frames have a structure defined in accordance with a plurality of time slots, each time slot of a first group of time slots is divided into a plurality of information bits carrying a respective communication channel, and an active state, respectively a static state, of each channel is assigned if the comparison of the content of the channel in N bits compared between N frames of a reference pattern with corresponding N bits of N frames of an analysis window, where applicable repeated L times, shows a variation in the content for at least one of the bits, respectively a stability of the content for all of the N bits, where N is an integer greater than or equal to 1,
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> the method comprising:

transmitting a descriptor specifying the static or active state of the transmission channel,

transmitting the content of the channel that has gone to the static state on the L*N frames of the analysis window after it goes to the static state,

performing a statistical analysis, over the analysis window carrying the L*N frames after the channel changes to the static state, of the state of each bit of the pattern repeated by the channel, based on a majority vote of the states obtained for each bit of the channel considered on the L groups of frames in the analysis window, wherein the statistical analysis is intended to reconstitute the original state of each bit of the pattern.

Lebizay is directed to repetitive pattern removal in a voice channel of a communication network. Specifically, the goal of Lebizay is to detect and suppress repetitive packets in a transmitting side of a network after a predefined number of consecutive repetitive packets have been transmitted. See Abstract. Further, an object of Lebizay is to avoid the transmission of repetitive patterns inside the network from the input node and to regenerate them at the output node such that the original data stream is reconstituted in the output data stream. See Lebizay col. 4, lines 10-15.

The Examiner asserts that col. 2, lines 8-31 of Lebizay teaches the elements of claim 1. The respective column and lines of Lebizay cited by the Examiner discusses repetitive pattern detection techniques of the background art. Specifically, the aspect of Lebizay cited by the Examiner discloses detecting a static pattern and confirming an idle state of a voice channel then interrupting a packet transmission to the receiving node. At the receiving side of the network, a

repetitive pattern is regenerated and inserted in an output samples stream. However, Lebizay indicates that a deficiency of this background art technique is that it is protocol dependent.

Applicant submits there is no teaching or suggestion of a decompression device, let alone that the data decompression device is adapted to decompress a block of data including a group of data from a set of data frames compressed by a data compression device, as claimed.

Further, there is no teaching or suggestion of "transmitting a descriptor specifying the static or active state of the transmission channel" or "transmitting the content of the channel that has gone to the static state on the L*N frames of the analysis window after it goes to the static state."

Claim 1 further recites "performing a statistical analysis, over the analysis window carrying the L*N frames after the channel changes to the static state, of the state of each bit of the pattern repeated by the channel, based on a majority vote of the states obtained for each bit of the channel considered on the L groups of frames in the analysis window, wherein the statistical analysis is intended to reconstitute the original state of each bit of the pattern."

The Examiner states that Lebizay discloses transmitting a control packet which provides the receiving side with a repetitive pattern value. Further, that Lebizay discloses that the repetitive pattern is detected, regenerated and inserted in the output sample stream. The Examiner then goes on to say that each bit will be properly detected or not and when a majority of all the bits are detected properly, the pattern will be detected. Therefore, the Examiner asserts that Lebizay teaches a majority vote of the state for each bit of the channel is determined. However, contrary to the Examiner's assertion, there is no such teaching in Lebizay.

Specifically, there is no teaching or suggestion that each bit is detected or not or that when a majority of bits are detected properly that a pattern will be detected. The background section of Lebizay merely discloses detection of a pattern. As discussed in col. 2, lines 7-32 of Lebizay:

> Such techniques already exist in the background art. One simple technique uses a static configuration of the repetitive pattern to be detected in the transmitting side of the network. Then, **once this pattern** has been detected and the idle state of the voice channel confirmed, the packet transmission to the receiving node is interrupted. At the receiving side of the network, **the repetitive pattern** is regenerated and inserted in the output samples stream. A disadvantage of this technique is that if the binary value **of the repetitive pattern changes** (i.e. differs from the configured value), as in case of a different protocol used by the emitting device (e.g. PBX), **the transmission of the repetitive pattern** is not stopped unless its value is reconfigured in the repetitive pattern detection system. Thus, this technique has the drawback of being protocol dependent.
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> A technique that overcomes the above problem of protocol dependency consists of sending, **after detection of a repetitive pattern** in the receiving side, a control packet which provides the receiving side with the repetitive pattern value to be played out in the output samples stream, after that the transmission is interrupted. This technique requires a specific packet header format for carrying out the control packet recognition. This type of format is not available for ATM Adaptation Layer of type 0 and 1 (AAL0, AAL1).

Therefore, Applicant submits that Lebizay does not teach performing a statistical analysis, over the analysis window carrying the L*N frames after the channel changes to the static state, of the state of each bit of the pattern repeated by the channel, based on a majority

vote of the states obtained for each bit of the channel considered on the L groups of frames in the analysis window, wherein the statistical analysis is intended to reconstitute the original state of each bit of the pattern, as claimed.

For at least the above reasons, claim 1. To the extent claim 7 recites similar subject matter, it should be deemed allowable for at least the same reasons.

Claim 7

Claim 7 recites "[a] data transmission system comprising a compressor and a decompressor and adapted to implement the method claimed in claim 1."

The Examiner asserts that MPEP 2111.04 discloses that claims scope is not limited by claim language that suggests or makes optional but does not limit a claim to a particular structure. Specifically, the Examiner asserts that the "adapted to" language of the claim may raise a question as to the limiting effect of the claim language.

Applicant submits that the determination of whether the "adapted to" language of claim 7 is a limitation depends on the specific facts of the case. In *Hoffer v. Microsoft Corp.*, 405 F.3d 1326, 1329, 74 USPQ2d 1481, 1483 (Fed. Cir. 2005), the court held that when a "'whereby' clause states a condition that is material to patentability, it cannot be ignored in order to change the substance of the invention." *Id.* Applicant submits that the "adapted to" language of claim 7 is appropriate and should be given due consideration.

II. Allowable Subject Matter

Claims 2-6 have been deemed to contain allowable subject matter and would be allowed if rewritten in independent form. At the present time, Applicant has not rewritten claims 2-6 in independent form since Applicant believes claims 2-6 will be deemed allowable, without amendment, by virtue of their dependency to claim 1 for at least the reasons set forth above.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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